

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NATALY LOPEZ VARGAS,

Plaintiff,

v.

SAPUTO DAIRY FOODS USA, LLC,

Defendant.

Case No. 1:22-cv-01645-ADA-HBK

ORDER DENYING PROPOSED
PROTECTIVE ORDER WITHOUT
PREJUDICE

(Doc. No. 20)

On August 21, 2023, the parties filed a stipulated proposed protective order. (Doc. No. 20). The Court declines to approve the proposed protective order because it does not comply with this Court's Local Rules. More specifically, the proposed protective order does not define exactly what materials are protected. Notably, the term "confidential" is defined as follows:

'Confidential' means any information which is in the possession of a Designating Party who believes in good faith that such information is entitled to confidential treatment under applicable law.

(Doc. No. 20 at 2, ¶1.c). Similarly, "Confidential Materials" is defined as "any Documents, Testimony or Information as defined below designated as 'Confidential' pursuant to the provisions of this Stipulation and Protective Order." (*Id.*, ¶1.d). This language is too broad and not compliant with this Court's Local Rules. Specifically, Eastern District of California Local Rule 141.1(c) requires that every proposed protective order contain the following:

- (1) A description of the types of information eligible for protection under the order, with the description provided in general terms sufficient to reveal the nature of the information (e.g., customer list, formula for soda, diary of a troubled child);
- (2) A showing of particularized need for protection as to each category of information proposed to be covered by the order; and
- (3) A showing as to why the need for protection should be addressed by a court order, as opposed to a private agreement between or among the parties.

Local Rule 141.1(c) (E.D. Cal. March 1, 2022).

The proposed stipulated protective order does not comply with Local Rule 141.1(c) because it includes a catchall description of confidential information, and this description is not sufficient “in general terms [] to reveal the nature of the information” under Local Rule 141.1(c)(1). Further, the parties also have not articulated a showing of particularized need for protection as to each category nor explained why a court order is necessary, as opposed to a private agreement between the parties. *Id.*

Accordingly, it is **ORDERED**:

The parties’ request for approval of the proposed stipulated protective order (Doc. No. 20) is DENIED, without prejudice, to refiling a stipulated protective order that complies with Local Rule 141.1(c).

Dated: August 21, 2023


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE